

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>NATHANIEL NEGRON,</b>	:	<b>CIVIL ACTION NO. 1:13-CV-1568</b>
	:	
<b>Plaintiff</b>	:	<b>(Chief Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>TABB BICKELL, et al.,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 8th day of July, 2014, upon consideration of the motions (Docs. 15, 19) to dismiss, and in accordance with the court's memorandum of the same date, it is hereby ORDERED that:

1. The motion (Doc. 15) filed on behalf of the corrections defendants is granted in part and denied in part as follows:
  - a. The motion is GRANTED as to plaintiff's Eighth Amendment conditions of confinement claim. This claim against defendants Bickell, Ellers, Green, Everling, Kissel, Wertz, Taylor, Butler, Walker, Hengst, Eby, Lovett, Sisto and Varner is DISMISSED in its entirety.
  - b. The motion is GRANTED as to plaintiff's Fourteenth Amendment due process claim. This claim against all corrections defendants is DISMISSED in its entirety.
  - c. With respect to the Eighth Amendment inadequate medical care claim, the motion is GRANTED as to all corrections defendants except defendants Everling, Kissel and Lt. Dunkle. The motion is DENIED with respect to defendants Everling, Kissel and Lt. Dunkle.

- d. Defendants Everling, Kissel and Lt. Dunkle shall **FILE** an answer or appropriate pretrial motion addressing plaintiff's Eighth Amendment inadequate medical care claim on or before July 28, 2014.
2. The motion (Doc. 19) filed on behalf of defendant Lane is **GRANTED**. The complaint against defendant Lane is **DISMISSED** in its entirety.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania